IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

WEDNESDAY, THE 28TH FEBRUARY 2007 / 9TH PHALGUNA 1928

WP(C).No. 29982 of 2006(T)

PETITIONER:

T.M.MOHAMMED HANEEFA,
M/S. ZAJATH LAMP INDUSTRIES,
MINI INDUSTRIAL ESTATE, THRIKKOVILVATTOM,
KOLLAM.

BY ADV. SRI.R.SATISH KUMAR.

RESPONDENTS:
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1. **STATE OF KERALA, REPRESENTED BY**
   ITS SECRETARY, INDUSTRIES DEPARTMENT,
   GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

2. **KERALA SMALL INDUSTRIES DEVELOPMENT**
   CORPN. LTD., REPRESENTED BY ITS MANAGING DIRECTOR,
   P.B.NO.50, HOUSING BOARD BUILDING,
   SHANTHI NAGAR, TRIVANDRUM.

3. **THE SENIOR MANAGER,**
   KERALA SMALL INDUSTRIES DEVELOPMENT CORPN. LTD.,
   P.B.NO.50, HOUSING BOARD BUILDING,
   SHANTHI NAGAR, TRIVANDRUM.

BY ADV. SRI.M.A.MANHU, SC, SIDCO FOR R1 & R2,
GOVT. PLEADER SRI. BENJAMIN PAUL FOR R1.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 28/02/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.29982/2006:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE NOTICE DTD. 07/06/2004 ISSUED BY THE R.3.

EXT.P.2: COPY OF THE REPLY DTD. 11/07/2004 GIVEN BY THE PETITIONER.

EXT.P.3: COPY OF THE JUDGMENT DTD. 20/07/2004 IN W.P.(C). NO. 21377/2004 OF THIS HONOURABLE COURT.

EXT.P.4: COPY OF THE LETTER DD. 23/11/2004 ISSUED BY THE R.3.

EXT.P.5: COPY OF THE LETTER DTD. 27/01/2005 ISSUED BY THE R.3.

EXT.P.6: COPY OF THE CERTIFICATE DTD. 14/09/1992 ISSUED BY SIDCO.

EXT.P.7: COPY OF THE ORDER DTD. 13/03/1996 ISSUED BY THE GENERAL MANAGER, DIC, KOLLAM.

EXT.P.8: COPY OF THE LETTER DTD. 16/11/95 OF THE PETITIONER TO SOUTH INDIAN BANK.

EXT.P.9: COPY OF THE LETTER DTD. 16/11/95 OF THE SOUTH INDIAN BANK TO THE PETITIONER.

EXT.P.10: PHOTOGRAPHS SHOWING THE PETITIONER'S FURNITURE BUSINESS.

EXT.P.11: COPY OF THE NOTICE DTD. 19/10/2006 ISSUED BY THE R.3. TO THE PETITIONER (UNIT ADDRESS).

EXT.P.12: COPY OF THE NOTICE DTD. 19/10/2006 ISSUED BY THE R.3. TO THE PETITIONER, (RESIDENCE ADDRESS).

EXT.P.13: COPY OF THE EXPLANATION OF THE PETITIONER TO THE R3, DTD. THIS THE 15TH DAY OF NOVEMBER, 2006.

EXT.P.14: COPY OF THE W.P.(C). NO. 21377/2004 OF THIS HONOURABLE COURT.

EXT.P.15: PHOTOGRAPHS SHOWING THE SITE POSITION.

//TRUE COPY//

prv.

Thottathil B. Radhakrishnan, J.

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W.P.(C)No.29982 of 2006

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Dated this the 28th day of February, 2007.

JUDGMENT

Learned counsel for the SIDCO submits that Ext.P13 is under consideration of the competent among the respondents. Accordingly, without expressing anything on merits, this writ petition is disposed of directing that Ext.P13 will be taken up, considered and disposed of by the competent among the respondents within a period of four months from the date of receipt of a copy of this judgment. Until then, following the interim order already in force, the petitioner shall not be dispossessed. It is further directed that, if the decision of Ext.P13 is against the interest of the petitioner, the same shall not be enforced for a fortnight after its service on the petitioner.

Thottathil B.Radhakrishnan,
Judge.

sl.